

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

TRACEY HARRIS COOMER,

Plaintiff,

v.

2:18-CV-165-Z-BR

WARNER MASSEY, *et al.*,

Defendants.

ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION

Before the Court are the findings, conclusions, and recommendation of the United States Magistrate Judge to dismiss Defendant Warner B. Massey and the Estate of Warner B. Massey without prejudice (“FCR”) (ECF No. 58). Plaintiff filed objections on February 27, 2024 (ECF No. 60). Because Plaintiff agrees that service was never effected on Defendant Massey, the objections are overruled. *See* ECF No. 60 at 2–4 (explaining lack of service); *see also* ECF No. 58 at 2 (“Plaintiff has been given ample time to effect service . . .”).

After making an independent review of the pleadings and files in this case, the Court concludes that the FCR of the Magistrate Judge is correct. It is therefore **ORDERED** that the FCR of the Magistrate Judge is **ADOPTED** and this action is **DISMISSED** without prejudice as to Defendants Warner B. Massey and the Estate of Warner B. Massey only.

SO ORDERED.

March 7, 2024



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE